

(TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Standard Time, Monday through Friday.

#### SUPPLEMENTARY INFORMATION:

Facsimiles will not be accepted as official nominations. E-mail or a courier service is recommended. Regular mail submissions must be screened by the Agency and may delay the receipt of the application up to a month.

A total of five positions will be filled. The following four positions will serve 3-year term appointments from January 1, 2010, to December 31, 2012. Positions to be filled are for:

- A member who is not currently an officer or employee of any government body living in a city with a population of less than 50,000 and who has experience and has been active in urban and community forestry.
- A member representing city/town government.
- One of two members representing a national non-profit forestry and/or conservation citizen organization.
- One of two members representing academic institutions with an expertise in urban and community forestry activities.

The fifth position will fill an interim term appointment (January 1, 2009 to December 31, 2010):

- A person representing forest products, nursery, or related industries.

Dated: December 9, 2009.

**Robin L. Thompson,**

*Associate Deputy Chief, State and Private.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**A-337-804, A-533-813, A-560-802, A-570-851**

#### **Certain Preserved Mushrooms from Chile, India, Indonesia and the People's Republic of China: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On October 1, 2009, the Department of Commerce (the Department) initiated sunset reviews of the antidumping duty orders on certain preserved mushrooms from Chile, India, Indonesia, and the People's Republic of China (PRC), pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). The Department has

conducted expedited (120-day) sunset reviews for these orders pursuant to 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of these sunset reviews, the Department finds that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping.

#### FOR FURTHER INFORMATION CONTACT:

David Goldberger or Kate Johnson, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4136 and (202) 482-4929, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 2, 1998, the Department published the antidumping duty order on certain preserved mushrooms from Chile. *See Notice of Antidumping Duty Order: Certain Preserved Mushrooms from Chile*, 63 FR 66529 (December 2, 1998). On February 19, 1999, the Department published the antidumping duty orders on certain preserved mushrooms from India, Indonesia, and the PRC. *See Notice of Amendment of Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Preserved Mushrooms from India*, 64 FR 8311 (February 19, 1999); *Notice of Antidumping Duty Order: Certain Preserved Mushrooms from Indonesia*, 64 FR 8310 (February 19, 1999); and *Notice of Amendment of Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Preserved Mushrooms from the People's Republic of China*, 64 FR 8308 (February 19, 1999).

In 2003-2004, the Department conducted the first sunset review on imports of certain preserved mushrooms from Chile, India, Indonesia, and the PRC, pursuant to section 751(c) of the Act, and found that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping at the same rates as found in the original investigations.<sup>1</sup> In November 2004, the U.S. International Trade Commission (ITC) determined, pursuant to section 751(c) of the Act, that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a

reasonably foreseeable time.<sup>2</sup> Also in November 2004, the Department published a notice of continuation of these antidumping duty orders.<sup>3</sup>

On October 1, 2009, the Department published the notice of initiation of the sunset reviews of the antidumping duty orders on certain preserved mushrooms from Chile, India, Indonesia, and the PRC, pursuant to section 751(c) of the Act. *See Initiation of Five-year ("Sunset") Reviews*, 74 FR 50776 (October 1, 2009) (*Notice of Initiation*).

The Department received a notice of intent to participate from the Coalition for Fair Preserved Mushroom Trade (the "Coalition"), a domestic interested party, which is comprised of L.K. Bowman Company, a division of Hanover Foods Corporation, Monterey Mushrooms, Inc., The Mushroom Company (formerly Mushroom Canning Company), and Sunny Dell Foods, Inc., within the deadline specified in 19 CFR 351.218(d)(1)(i). The Coalition claimed interested party status under section 771(9)(C) of the Act as a manufacturer of a domestic like product in the United States.

The Department received a complete substantive response to the notice of initiation from the domestic interested party within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). We received no substantive responses from respondent interested parties with respect to any of the orders covered by these sunset reviews, nor was a hearing requested. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted expedited (120-day) sunset reviews of the antidumping duty orders on certain preserved mushrooms from Chile, India, Indonesia, and the PRC.

##### Scope of the Orders

The products covered under the Certain Preserved Mushrooms orders are imported whole, sliced, diced, or as stems and pieces. The "preserved mushrooms" covered under the orders are the species *Agaricus bisporus* and *Agaricus bitorquis*. "Preserved mushrooms" refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heated in containers, including but not limited to cans or glass jars in a suitable liquid medium, including but not limited to water,

<sup>2</sup> *See Certain Preserved Mushrooms from Chile, China, India, and Indonesia*, 69 FR 63408 (November 1, 2004).

<sup>3</sup> *See Continuation of Antidumping Duty Orders on Certain Preserved Mushrooms from Chile, the People's Republic of China, India, and Indonesia*, 69 FR 67308 (November 17, 2004).

<sup>1</sup> *See Certain Preserved Mushrooms from Chile, India, Indonesia and the People's Republic of China: Final Results of Expedited Sunset Reviews of Antidumping Duty Orders*, 69 FR 11384 (March 10, 2004).

brine, butter or butter sauce. Included within the scope of these orders are "brined" mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing. Also included within the scope of these orders, as of June 19, 2000, are marinated, acidified, or pickled mushrooms containing less than 0.5 percent acetic acid.

Excluded from the scope of these orders are the following: (1) all other species of mushroom, including straw mushrooms; (2) all fresh and chilled mushrooms, including "refrigerated" or "quick blanched mushrooms"; (3) dried mushrooms; and (4) frozen mushrooms. The merchandise subject to these orders was previously classifiable under subheadings 2003.10.0027, 2003.10.0031, 2003.10.0037, 2003.10.0043, 2003.10.0047, 2003.10.0053, and 0711.90.4000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for

convenience and customs purposes, the written description of the scope of these orders is dispositive. As of January 1, 2002, the HTSUS subheadings are as follows: 2003.10.0127, 2003.10.0131, 2003.10.0137, 2003.10.0143, 2003.10.0147, 2003.10.0153, 0711.51.0000.

#### Analysis of Comments Received

All issues raised in these reviews are addressed in the "Issues and Decision Memorandum for the Expedited Sunset Reviews of the Antidumping Duty Orders on Certain Preserved Mushrooms from Chile, India, Indonesia, and the People's Republic of China" from John M. Andersen, Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration (Decision Memo), which is hereby adopted by, and issued concurrently with, this notice. The issues discussed in the Decision Memo include the

likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the orders were revoked. Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room 1117 of the main Department building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memo are identical in content.

#### Final Results of Reviews

We determine that revocation of the antidumping duty orders on certain preserved mushrooms from Chile, India, Indonesia, and the PRC would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Manufacturers/Exporters/Producers	Weighted-Average Margin (percent)
<b>Chile.</b>	
Nature's Farm Products (Chile) S.A. ....	148.51
All-Others Rate .....	148.51
<b>India.</b>	
Agro Dutch Foods Ltd. ....	6.28
KICM (Madras) Ltd.* .....	14.91
Alpine Biotech Ltd. ....	243.87
Mandeep Mushrooms Ltd. ....	243.87
All-Others Rate .....	11.30
<b>Indonesia.</b>	
PT Dieng Djaya/PT Surya Jaya Abadi Perkasa .....	7.94
PT Zeta Agro Corporation .....	*revoked
All-Others Rate .....	11.26
<b>PRC.</b>	
China Processed Food I&E Co./Xiamen Jiahua I&E Trading Company, Ltd. ....	121.47
Tak Fat Trading Co. ....	162.47
Shenzhen Cofry Cereals, Oils, & Foodstuffs Co., Ltd. ....	151.15
Gerber (Yunnan) Food Co. ....	142.11
Jiangsu Cereals, Oils & Foodstuffs Group Import & Export Corporation .....	142.11
Fujian Provincial Cereals, Oils & Foodstuffs I&E Corp. ....	142.11
Putian Cannery Fujian Province .....	142.11
Xiamen Gulong I&E Co., Ltd. ....	142.11
General Canned Foods Factory of Zhangzhou .....	142.11
Zhejiang Cereals, Oils & Foodstuffs I&E Corp. ....	142.11
Shanghai Foodstuffs I&E Corp. ....	142.11
Canned Goods Co. of Raoping .....	142.11
PRC-wide Rate .....	198.63

\*The Department conducted a changed circumstances review and found that KICM (Madras) Limited was the successor-in-interest to Hindustan Lever Limited (formerly known as Ponds (India) Ltd.). See *Certain Preserved Mushrooms from India: Final Results of Changed Circumstances Review*, 68 FR 6884 (February 11, 2003); *Certain Preserved Mushrooms from India: Preliminary Results of Antidumping Duty Administrative Review*, 67 FR 10371 (March 7, 2002), unchanged in *Certain Preserved Mushrooms from India: Final Results of Antidumping Duty Administrative Review*, 67 FR 46172 (July 12, 2002).

\*Effective February 1, 2002, the antidumping duty order with respect to PT Zeta Agro Corporation was revoked. See *Final Results of Antidumping Duty Administrative Review: Certain Preserved Mushrooms from Indonesia and Final Determination to Revoke Order in Part*, 68 FR 39521 (July 2, 2003).

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary

information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective orders

is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing the results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: December 14, 2009.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 57-2009]

#### Foreign-Trade Zone 202—Los Angeles, CA, Area Application for Reorganization/Expansion

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Board of Harbor Commissioners of the City of Los Angeles, grantee of FTZ 202, requesting authority to reorganize and expand its zone in the Los Angeles area within and adjacent to the Los Angeles-Long Beach Customs and Border Protection port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on December 11, 2009.

FTZ 202 was approved on July 14, 1994 (Board Order 693, 59 FR 37464, 7/22/94), expanded on August 26, 1996 (Board Order 842, 61 FR 46763, 9/5/96) and on July 9, 1999 (Board Order 1043, 64 FR 38887, 7/20/99), and expanded/reorganized on April 30, 2004 (Board Order 1331, 69 FR 26065, 5/11/04) and on April 24, 2009 (Board Order 1616, 74 FR 21623, 5/8/09).

The zone project currently consists of 16 permanent and temporary sites located at port facilities, industrial parks and warehouse facilities in Los Angeles, San Bernardino, Kern and Riverside Counties as described below:

- *Site 1* (2,783 acres total)—consists of the Port of Los Angeles Harbor Complex in San Pedro;
- *Site 2* (3 acres total) located: At 1 World Way within the Los Angeles International Airport (Parcel 1—1 acre); at 5330 W. 102nd Street, Los Angeles (Parcel 2—1.5 acres); and, at 1111 Watson Center Road, Unit 2-A, B-C, Carson (Parcel 3—22,705 sq. ft.);
- *Site 3* (564 acres)—within the International Trade & Technology Center, Santa Fe Highway at 7th Standard Road, Kern County;
- *Site 4* (353.6 acres)—within the 438-acre Carson Dominguez Technology

Center south of the Artesia Freeway, between the Harbor Freeway and I-710 in the City of Carson and the Rancho Dominguez area of Los Angeles County;

- *Site 5* (8.51 acres total, sunset 4/30/2014)—warehouse facilities of 3Plus Logistics located at 20250 South Alameda Street in Rancho Dominguez (6.13 acres) and at 2730 El Presidio Street in Carson (2.38 acres);
- *Site 6* (23 acres)—located at 20002 E. Business Parkway, Walnut;
- *Site 7* (93 acres)—within the 140-acre Pacific Gateway Center, at the southwest corner of the San Diego Freeway Interchange, Los Angeles;
- *Site 9* (22.87 acres total): Parcel A (5.61 acres)—19700 Van Ness Avenue, Torrance; and, Parcel C (7.26 acres)—1451 Knox Street, Torrance;
- *Site 10* (325 acres)—Watson Industrial Center South, 22010 South Wilmington Avenue, Carson;
- *Site 11* (153.79 acres)—Watson Corporate Center located at 22010 South Wilmington Avenue and at 2417 East Carson Street in Carson;
- *Site 12* (8 acres, expires 7/31/2011)—Schafer Brothers Distribution Center, Inc., 1981 East 213th Street, Carson;
- *Site 14* (33 acres, expires 7/31/2011)—Nippon Express USA, Inc., located adjacent to Site 1, at 300 Westmont Street, San Pedro;
- *Site 15* (4 acres)—located at 1020 McFarland Avenue, Wilmington;
- *Site 20* (21 acres, expires 7/31/2011)—Kwikset Corporation facilities located within the Park Mira Loma West, southeast side of the Intersection of Highway 60 (the Pomona Freeway) and Interstate 15 (the Ontario Freeway), Mira Loma;
- *Site 23* (177 acres, sunset 3/31/2013)—within the 1,450-acre Tejon Industrial Complex located directly off Interstate 5 at the Highway 99 junction, Lebec; and,
- *Temporary Site 2* (2.4 acres, expires 6/30/2010)—a warehouse located at 2200 and 2250 Technology Place, Long Beach.

There is an application pending for a proposed new zone project in the Bakersfield, California, area (Doc. 18-2009). That application is requesting a transfer of FTZ 202—Site 23 (Tejon Industrial Complex) to the Bakersfield zone project as proposed Site 2.

The applicant is now requesting authority for a reorganization and expansion of the zone which would result in an overall net increase of zone sites and space. As described below, the proposal includes a request for new authority for expired sites/parcels, to delete an existing site, for permanent

status for temporary sites, and to add a new site.

- Expand *Site 1* by requesting new authority for the Howard Hartry parcel (0.39 acres, 10,833 sq. ft.) (which expired on 7/1/09) (new total acreage—2,783 acres);
- Delete *Site 6* in its entirety due to changed circumstances;
- Expand *Site 9* by requesting new authority for Parcel B (7 acres) (which expired on 7/1/09) (new total acreage—29.87 acres);
- Modify *Site 12* by requesting permanent status;
- Modify and expand *Site 14* by requesting permanent status for the current 33 acres and requesting new authority for 55 acres (which expired on 7/1/09) (new total acreage—88 acres);
- Requesting new authority for 4.16 acres at *Site 16* (which had previously consisted of 153.20 acres that expired on 7/1/09);
- Requesting new authority for 18.5 acres at *Site 19* (which had previously consisted of 83.16 acres that expired on 7/1/09);
- Modify *Site 20* by requesting permanent status for the current 21 acres and to expand the site to include an additional 120.79 acres (113.37 acres that expired on 7/1/09 and a new 7.42-acre parcel) (new total acreage—141.79 acres);
- Requesting new authority for 84 acres at *Site 22* (which had previously consisted of 227 acres that expired on 7/1/09); and,
- Add *Proposed Site 24* (5 acres)—RPM Transport warehouse facility located at 2200 and 2250 Technology Place, Long Beach (this site will include Temporary Site 2 (2.4 acres) on a permanent basis and add an additional 2.6 acres).

The sites will provide warehousing and distribution services to area businesses. No specific manufacturing authority is being requested at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, Christopher Kemp of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is February 16, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the